

# **WESTMINSTER CITY COUNCIL**

## **STATEMENT OF DECISION**

**SUBJECT: BI-BOROUGH RE-PROCUREMENT OF PASSENGER TRANSPORT FOR ELIGIBLE CHILDREN, YOUNG PEOPLE AND VULNERABLE ADULTS**

Notice is hereby given that Cabinet Member for Children, Families and Young People, Cabinet Member for Adult Social Services and Public Health and Cabinet Member for Finance, Property and Corporate Services have made the following executive decision on the above mentioned subject for the reasons set out below.

### **Summary of Decision**

That approval be given to implement the commissioning strategy as outlined within this paper and commence an open procedure to establish two Westminster City Council Passenger Transport Frameworks (one for minibuses and one for taxis) via the Procurement and Contract Regulations 2015 (as amended), ensuring fully OJEU compliant Frameworks which can be accessed by both Children's Services and Adult Social Care in both Westminster City Council and the Royal Borough of Kensington and Chelsea.

That approval be given for Westminster City Council to act as the Buying Authority named on the Frameworks, and to develop a robust inter-authority agreement between Westminster City Council and the Royal Borough of Kensington and Chelsea to enable both Boroughs to use the Frameworks effectively and meet local need.

### **Reasons for Decision**

Having extended the current contracts to their maximum term, the withdrawal of London Borough of Hammersmith and Fulham ("LBHF") from shared service arrangements and the desire for the Royal Borough of Kensington and Chelsea ("RBKC") and Westminster City Council ("WCC") to deliver key services on a Bi-Borough basis, plus the legislative requirement to provide the service, all contribute to the requirement to take this decision. Additionally, it provides RBKC and WCC with an opportunity, through more detailed framework specifications, to formalise current quality standards and to incorporate the feedback from consultation.

The West London Alliance (WLA) framework expired in July 2016 and the taxi contracts servicing WCC and RBKC were extended until July 2018 for continuity of service. The remaining contracts were procured through a WCC framework and were extended to their maximum - taxis until July 2018 and minibuses until July 2019. By commencing the full OJEU procurement exercise now, this will permit the maximum mobilisation period, thereby maximising service continuity in time for the start of the service at the beginning of the academic year, September 2018.

LBHF issued notice on the Inter Authority Agreement, giving a notice period of a year, which removed LBHF from shared services for passenger transport as of the 1<sup>st</sup> September 2017. This means that any shared service re-procurement would be conducted on a Bi-Borough basis between RBKC and WCC which requires the development of a new Inter Authority Agreement between these two Boroughs to enable them both to operate effectively under the two frameworks.

The Local Authority (LA) has a statutory duty to provide home to school transport provisions as per the Education Act 1996. Both Councils have a Travel Assistance Policy which clearly sets out these duties, together with further information via the Local Offer. Further details can be found in the Appendix.

For Adults, the Care Act 2014 stipulates a duty to Council's to meet assessed needs, and while transport isn't a prescribed provision, it may be one way of meeting people's assessed needs and preferences in meeting their personal outcomes towards independence and engagement with the community.

**Stuart Love, Chief Executive,  
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**Publication Date:** 29 January 2018

**Implementation Date:** 5 February 2018 after 5pm

**Reference:** CMfCF&YP/8/2017/18, CMfFP&CP/40/2017/2018  
and CMfASC&PH/5/2017/2018